

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|   |   |                                 |
|---|---|---------------------------------|
| YESILADA KREDI VE YATIRIM LTD.,           | ) | 8:05CV1                         |
|   | ) |                                 |
| Plaintiff,                                | ) |                                 |
|   | ) |                                 |
| vs.                                       | ) | <b>MEMORANDUM<br/>AND ORDER</b> |
|   | ) |                                 |
| THOMAS C. WHITMORE,                       | ) |                                 |
| Defendant and                             | ) |                                 |
| Third-Party Plaintiff,                    | ) |                                 |
|   | ) |                                 |
| vs.                                       | ) |                                 |
|   | ) |                                 |
| DON DESORBO and CARIB CAY VENTURES, LTD., | ) |                                 |
|   | ) |                                 |
| Third-Party Defendants.                   | ) |                                 |

Plaintiff Yesilada Kredi ve Yatirim Ltd. and defendant Thomas C. Whitmore have filed a joint stipulation for dismissal (filing 65) of all claims the plaintiff has or may have against defendant Whitmore and of Whitmore's claims against third-party defendants Don Desorbo and Carib Cay Ventures, Ltd. I shall grant the parties' motion.

IT IS ORDERED:

1. The Joint Stipulation for Dismissal (filing 65) filed by plaintiff Yesilada Kredi ve Yatirim Ltd. and defendant Thomas C. Whitmore is granted;
  
2. Plaintiff's claims against defendant Whitmore are dismissed with prejudice, and each party shall bear their own costs and a complete record is waived;

3. Defendant and third-party plaintiff Whitmore's claims against third-party defendants Don Desorbo and Carib Cay Ventures, Ltd., are dismissed without prejudice;

4. Because the plaintiff Yesilada Kredi ve Yatirim Ltd.'s claims against third-party defendants Don Desorbo and Carib Cay Ventures, Ltd., remain viable and are unaffected by the parties' stipulation, entry of judgment will be withheld until the remaining claims in this case are resolved.

December 5, 2005.

BY THE COURT:  
s/ *Richard G. Kopf*  
United States District Judge